

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff Out of State
(EXCEPT IN U.S. PLAINTIFF CASES)

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County of Residence of First Listed Defendant Brooklyn
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

☐ 1 U.S. Government Plaintiff

☒ 3 Federal Question
(U.S. Government Not a Party)

☐ 2 U.S. Government Defendant

☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated <i>or</i> Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated <i>and</i> Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

[Click here for: Nature of Suit Code Descriptions.](#)

CONTRACT		TORTS		FORFEITURE/PENALTY		BANKRUPTCY		OTHER STATUTES	
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act				
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury -	<input type="checkbox"/> of Property 21 USC 881	<input type="checkbox"/> 423 Withdrawal	<input type="checkbox"/> 376 Qui Tam (31 USC				
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 3729(a))				
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> Liability	<input type="checkbox"/> 367 Health Care/		INTELLECTUAL					
<input type="checkbox"/> 150 Recovery of Overpayment	<input type="checkbox"/> 320 Assault, Libel &	<input type="checkbox"/> Pharmaceutical		PROPERTY RIGHTS					
<input type="checkbox"/> & Enforcement of Judgment	<input type="checkbox"/> Slander	<input type="checkbox"/> Personal Injury		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 400 State Reapportionment				
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 330 Federal Employers'	<input type="checkbox"/> Product Liability		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 410 Antitrust				
<input type="checkbox"/> 152 Recovery of Defaulted	<input type="checkbox"/> Liability	<input type="checkbox"/> 368 Asbestos Personal		<input type="checkbox"/> 835 Patent - Abbreviated	<input type="checkbox"/> 430 Banks and Banking				
<input type="checkbox"/> Student Loans	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> Injury Product		<input type="checkbox"/> New Drug Application	<input type="checkbox"/> 450 Commerce				
<input type="checkbox"/> (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product	<input type="checkbox"/> Liability		<input type="checkbox"/> 840 Trademark	<input checked="" type="checkbox"/> 460 Deportation				
<input type="checkbox"/> 153 Recovery of Overpayment	<input type="checkbox"/> Liability	PERSONAL PROPERTY		<input type="checkbox"/> 880 Defend Trade Secrets	<input type="checkbox"/> 470 Racketeer Influenced and				
<input type="checkbox"/> of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud	LABOR	<input type="checkbox"/> Act of 2016	<input type="checkbox"/> Corrupt Organizations				
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 710 Fair Labor Standards		<input type="checkbox"/> 480 Consumer Credit				
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 380 Other Personal	<input type="checkbox"/> Act		<input type="checkbox"/> (15 USC 1681 or 1692)				
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 360 Other Personal	<input type="checkbox"/> Property Damage	<input type="checkbox"/> 720 Labor/Management	SOCIAL SECURITY	<input type="checkbox"/> 485 Telephone Consumer				
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> Injury	<input type="checkbox"/> 385 Property Damage	<input type="checkbox"/> Relations	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> Protection Act				
	<input type="checkbox"/> 362 Personal Injury -	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV				
	<input type="checkbox"/> Medical Malpractice		<input type="checkbox"/> 751 Family and Medical	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/				
			<input type="checkbox"/> Leave Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> Exchange				
			<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 890 Other Statutory Actions				
			<input type="checkbox"/> 791 Employee Retirement		<input type="checkbox"/> 891 Agricultural Acts				
			<input type="checkbox"/> Income Security Act	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters				
				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff	<input type="checkbox"/> 895 Freedom of Information				
				<input type="checkbox"/> or Defendant)	<input type="checkbox"/> Act				
				<input type="checkbox"/> 871 IRS—Third Party	<input type="checkbox"/> 896 Arbitration				
				<input type="checkbox"/> 26 USC 7609	<input type="checkbox"/> 899 Administrative Procedure				
			IMMIGRATION		<input type="checkbox"/> Act/Review or Appeal of				
			<input type="checkbox"/> 462 Naturalization Application		<input type="checkbox"/> Agency Decision				
			<input type="checkbox"/> 465 Other Immigration		<input type="checkbox"/> 950 Constitutionality of				
			<input type="checkbox"/> Actions		<input type="checkbox"/> State Statutes				

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*):
18 U.S.C. 1962

Brief description of cause:

Violation of the Racketeer Influenced and Corrupt Organizations Act, Common Law Fraud, Unjust Enrichment, etc.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S)
IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE _____

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration ☐

I, Daniel A. Johnston, counsel for Plaintiff, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- ☒ monetary damages sought are in excess of \$150,000.00 exclusive of interest and costs,
- ☒ the complaint seeks injunctive relief, or
- ☐ the matter is otherwise ineligible for the following reason:

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks. Add an additional page if needed.

N/A

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 3 in Section VIII on the front of this form. Rule 3(a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 3(a) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case involves identical legal issues, or the same parties." Rule 3 further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (b), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NEW YORK EASTERN DISTRICT DIVISION OF BUSINESS RULE 1(d)(3)

If you answer "Yes" to any of the questions below, this case will be designated as a Central Islip case and you must select Office Code 2.

1. Is the action being removed from a state court that is located in Nassau or Suffolk County? ☐ Yes ☒ No
2. Is the action—not involving real property—being brought against United States, its officers or its employees AND the majority of the plaintiffs reside in Nassau or Suffolk County? ☐ Yes ☒ No
3. If you answered "No" to all parts of Questions 1 and 2:
 - a. Did a substantial part of the events or omissions giving rise to claim or claims occur in Nassau or Suffolk County? ☐ Yes ☒ No
 - b. Do the majority of defendants reside in Nassau or Suffolk County? ☐ Yes ☒ No
 - c. Is a substantial amount of any property at issue located in Nassau or Suffolk County? ☐ Yes ☒ No
4. If this is a Fair Debt Collection Practice Act case, was the offending communication received in either Nassau or Suffolk County? ☐ Yes ☐ No

(Note, a natural person is considered to reside in the county in which that person is domiciled; an entity is considered a resident of the county that is either its principal place of business or headquarters, or if there is no such county in the Eastern District, the county within the District with which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

☒ Yes ☐ No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

☐ Yes (If yes, please explain) ☒ No

I certify the accuracy of all information provided above.

Signature: _____

Daniel A. Johnston